

HB 962 -- MUNICIPAL SERVICES IN ST. LOUIS COUNTY

SPONSOR: Diehl

This bill requires a municipality in St. Louis County to meet minimum standards in the provision of municipal and financial services and reports. "Minimum standards" means adequate and material provision of at least 75% of the following items:

- (1) A balanced annual budget;
- (2) Creation, funding, and regular implementation of a capital improvements plan;
- (3) An annual audit of the municipality's finances by a certified public accountant;
- (4) A cash management and accounting system that accounts for all revenues and expenditures;
- (5) Adequate levels of insurance to minimize certain specified types of risk;
- (6) Public access to a complete set of ordinances adopted by the governing body;
- (7) A law enforcement unit comprised of armed peace officers at specified staffing levels and required response times;
- (8) Written policies regarding the safe operation of emergency vehicles;
- (9) Written policies regarding the use of force by peace officers;
- (10) Construction code review, directly or by contract with a public or private agency;
- (11) Refuse and recycling collection that complies with applicable county codes; and
- (12) Information published annually on the municipality's website indicating how the municipality met these standards. If the municipality does not have a website, the information must be submitted to the county for publication on its website if it has one.

Upon the filing of a petition signed by at least 30% of the registered voters in the municipality who voted in the last gubernatorial election alleging that the municipality has

materially failed to provide at least three of the required standards for at least two months after having been given notice in writing, the election authority must forward the petition to the presiding judge of the circuit court of that county. The judge must review the petition to determine whether there is probable cause to believe that the allegations are true. If the court decides that probable cause exists, it must notify the municipality and the municipal league of the county or a similar association.

The league or association must request the assistance of a local university, and the university must appoint an advisory committee consisting of three to five persons with relevant experience and qualifications as specified in the bill. The advisory committee must review, as it sees fit, the services in question and the other required services; must develop a plan to permanently correct any deficiencies; and must present the plan to the governing body of the subject municipality within 60 days of its first meeting.

If the municipality continues to fail to ensure that at least 75% of the standards are regularly provided and are likely to continue to be provided, the circuit court must conduct a hearing based upon the original petition and determine whether the municipality is operating below the minimum standards. If it is, the municipality will have 90 days to correct any deficiencies. If after 90 days the municipality is still deemed to be operating below the minimum standards, the court must pursue remedies in the following order:

- (a) Appointment of an administrative authority to administer the revenues of the municipality;
- (b) Removal from office of any or all elected officials of the municipality and the appointment of new officials to fill the remainder of the terms of those removed;
- (c) Placement on the ballot of a proposal to merge the municipality with an adjacent municipality. If voters in each municipality approve the proposed merger, it will become effective six months after the date of the election; and
- (d) Placement on the ballot of a proposal to disincorporate the municipality upon the receipt of a petition signed by at least 40% of the registered voters residing in the municipality to do so.

The court must have ongoing jurisdiction to enforce its orders and carry out the specified remedies.